

IDAHO BOARD OF MORTICIANS
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 7/17/2012

BOARD MEMBERS PRESENT: David L. Hutton - Chair
James H. Opdahl
F. Duayne Sims

BUREAU STAFF: Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, Legal Counsel
Erin Anderson, Secretary
Eric Nelson, Naylor & Hales, Board Prosecutor

OTHERS PRESENT: Linda Opdahl, Health & Welfare Bureau of Vital
Records and Health Statistics

7/17/2012

The meeting was called to order at 9:00 AM MDT by David L. Hutton.

APPROVAL OF MINUTES

Mr. Sims made a motion to approve the minutes of 4/20/2012. It was seconded by Mr. Opdahl. Motion carried.

LEGISLATIVE REPORT

Ms. Hall gave the legislative report. She discussed with the Board the amendments made to Idaho Code 54-1143.

FINANCIAL REPORT

Ms. Hall gave the financial report, which is linked above. The report indicated that the Board has a cash balance of \$32,338.55 as of 6/30/2012.

BOARD CONTRACT

Ms. Hall presented the 2013 contract to the Board. Next year's budget is set at \$69,475.07. A motion was made by Mr. Sims to approve the contract and authorize the Chair to sign it. Seconded by Mr. Opdahl, motion carried.

DISCIPLINE

Mr. Nelson presented the following consent orders:

MOR-2012-2 and MOR-2012-3- Mr. Opdahl made a motion to accept the Stipulation and Consent Order and authorize the Chair to sign it. Seconded by Mr. Sims, motion carried.

MOR-2012-6- Mr. Sims made a motion to accept the Stipulation and Consent Order and authorize the Chair to sign it. Seconded by Mr. Opdahl, motion carried.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

For Board determination:

I-MOR-2012-7 A motion to close was made by Mr. Opdahl. Seconded by Mr. Sims, motion carried.

I-MOR-2012-8 A motion to close was made by Mr. Opdahl. Seconded by Mr. Sims, motion carried.

I-MOR-2012-10, I-MOR-2012-11 and I-MOR-2012-12 A motion to close was made by Mr. Sims. Seconded by Mr. Opdahl, motion carried.

I-MOR-2012-13 A motion to close was made by Mr. Opdahl. Seconded by Mr. Sims, motion carried.

Ms. Peel presented to the Board correspondence from MOR-2007-7. In this correspondence Mr. O'Reilly proposed a payment arrangement for his fines, costs and fees. Mr. Opdahl made a motion to reject the proposal and to offer an alternate payment schedule. Seconded by Mr. Sims, motion carried:

Mr. Opdahl also requested that a letter be drafted clarifying the exact requirements of Mr. O'Reilly's discipline after suspension. Included in the above motion was authorization that the Board Chair may approve Mr. O'Reilly's supervisor during his discipline period.

ELECTION

A motion was made by Mr. Sims to re-elect Mr. Hutton as the Chair. Seconded by Mr. Opdahl, motion carried.

MISCELLANEOUS

Mr. Sims made a motion to accept the changes and additions to the following applications. Seconded by Mr. Opdahl, motion carried:

MCA Audit application
Quarterly Report/Final Report application
Mortician/Funeral Director application for licensure

Ms. Anderson provided handouts to the Board from her attendance at The Conference 2012 meeting in Arkansas.

EXECUTIVE SESSION

A motion was made by Mr. Opdahl that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Sims. The vote was: Mr. Sims, aye; Mr. Hutton, aye; and Mr. Opdahl, aye. Motion carried.

It was moved by Mr. Sims to come out of executive session. It was seconded by Mr. Opdahl. The vote was: Mr. Sims, aye; Mr. Hutton, aye; and Mr. Opdahl, aye. Motion carried.

APPLICATIONS

Mr. Opdahl made a motion to accept the issuance of the following resident trainee applications. Seconded by Mr. Sims, motion carried.

MRT-1289
MRT-1292

Mr. Opdahl made a motion to approve the following applicant for the state jurisprudence test once all required documentation is received. Seconded by Mr. Sims, motion carried:

Phillip Hutton

Mr. Opdahl made a motion to table the following application for further information. Seconded by Mr. Sims, motion carried:

#901122324

Mr. Opdahl made a motion to accept the MCA Audit and the Quarterly Reports submitted. Seconded by Mr. Sims, motion carried.

CE COURSES

The following continuing education was approved by Mr. Hutton:

Barrett Business Services Inc.	It's About Respect-Recognizing Harassment In the Workplace
Barrett Business Services Inc.	Bloodborne Pathogens

The following continuing education was approved by Mr. Sims:

Cremation Assoc. of North America	Experience the Planning & Execution Of an "Alternative Event"
Cremation Assoc. of North America	Results of Alternatives Event Workshop
Cremation Assoc. of North America	Legal Matters
Cremation Assoc. of North America	Evolution of Cremation Cemetery Options

The following continuing education was approved by Mr. Opdahl:

Cremation Assoc. of North America	Art & Science of Leadership: Coaching and Mentoring
Cremation Assoc. of North America	Urban Features
Cremation Assoc. of North America	Set Your GPS For Success!
Cremation Assoc. of North America	Keynote Session
Cremation Assoc. of North America	Keynote Session, cont.,

OTHER

The Board reviewed correspondence and signed wall certificates.

NEXT MEETING was scheduled for 1/15/2013 at 9:00 AM.

ADJOURNMENT

It was moved by Mr. Sims to adjourn the meeting at 12:00 PM. Seconded by Mr. Opdahl, motion carried.

7/18/2012

The meeting was called to order at 9:00 AM MDT by David L. Hutton.

DISCUSSION

The Board met and discussed with Ms. Opdahl the following items:

Alkaline Hydrolysis/Resomation- Mr. Sims noted that the death certificate has "other" as a method of disposition and felt that if someone's disposition was handled by alkaline

hydrolysis/resomation that it could be disclosed there. After further discussion and review of Idaho Code 54-1102, it was decided to discuss drafting an addition of alkaline hydrolysis/resomation to this act. The Board will discuss this at the January 2013 meeting. Mr. Hales is to be invited to this meeting to assist with the drafting of the additions to the law. Once an accurate draft has been created, the Board will then present it to the association for further assistance and support.

Green Burial/Green Cemetery- Mr. Hutton brought to the Board a letter received from Mr. Ken Mallea regarding the growing concern over “green cemeteries” and the lack of jurisdiction over them. Title 54 Chapter 38 was discussed. Mr. Hutton is to contact Mr. Mallea about Title 54 Chapter 38 to discuss with him the history of this act and why it has not been implemented. This matter will be discussed at the January 2013 meeting also.

Application for Disinterment- The Board reviewed Idaho Code 54-1142 and 54-1143 in relation to this form. If any corrections are to be made to the form Ms. Opdahl felt that these corrections should come by Board direction, not her agency. This matter was tabled for further discussion at the January 2013 meeting.

The Board’s initial thought in inviting Ms. Opdahl was to ascertain who had jurisdiction over these items. Ms. Opdahl felt that all of the items for discussion were outside of jurisdiction of her agency.

ADJOURNMENT

It was moved by Mr. Opdahl to adjourn the meeting at 10:20 AM. It was seconded by Mr. Sims. Motion carried.

David L. Hutton, Chair

James H. Opdahl

F. Duayne Sims

Tana Cory, Bureau Chief